Senate



General Assembly

File No. 496

January Session, 2007

Substitute Senate Bill No. 1405

Senate, April 16, 2007

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE ADVISORY BOARD FOR COLLABORATIVE EDUCATION, AN INTERVENTION MODEL FOR SCHOOLS IN NEED OF IMPROVEMENT AND THE TEACH-ONE COMPETITIVE GRANT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Subsection (a) of section 10-4q of the general statutes is
- 2 repealed and the following is substituted in lieu thereof (Effective July
- 3 1, 2007):
- 4 (a) The State Board of Education shall establish a State Education
- 5 Resource Center to assist the board in the provision of programs and
- 6 activities that will promote educational equity and excellence. Such
- 7 activities, to be provided by the State Education Resource Center or a
- 8 regional educational service center, may include training and
- 9 continuing education seminars, publication of technical materials, 10 research and evaluation, and other related activities. The center (1)
- 11 may support programs and activities concerning early childhood
- 12 education, the federal No Child Left Behind Act, P.L. 107-110, and

closing the academic achievement gap between socio-economic subgroups, and other related programs, and (2) shall provide administrative support for the Advisory Board for Collaborative Education established under section 2 of this act, including, but not limited to, the issuance of requests for proposals, the evaluation of such proposals and the development of recommendations concerning such proposals for consideration by said advisory board.

Sec. 2. (NEW) (Effective July 1, 2007) (a) There is established an Advisory Board for Collaborative Education that shall be a cooperative venture between the Department of Education and public and independent institutions of higher education to deliver supplemental assistance and improvement programs to public schools and local and regional school districts identified by the Commissioner of Education to be schools or school districts that could benefit from such supplemental assistance or improvement program including, but not limited to, schools and districts identified as in need of improvement by the commissioner pursuant to section 10-223e of the general statutes. The advisory board shall provide the Department of Education with research and technical expertise necessary to provide such assistance and implement such programs.

(b) The Advisory Board for Collaborative Education, established under subsection (a) of this section, shall consist of (1) nonvoting exofficio members as follows: (A) The Commissioner of Education, or the commissioner's designee, (B) the president of The University of Connecticut, or the president's designee, (C) the chancellor of the Connecticut State University system, or the chancellor's designee, and (D) the president of the Connecticut Conference of Independent Colleges or the president's designee; and (2) five voting members appointed jointly, not later than August 1, 2007, by the Governor, the speaker of the House of Representatives, the majority leader of the House of Representatives, the minority leader of the House of Representatives, the president pro tempore of the Senate, the majority leader of the Senate and the minority leader of the Senate, (A) one of whom shall be a representative of an association of boards of

education in this state, (B) one of whom shall be a representative of a state affiliate of a national advocacy group for teachers and public education in this state, (C) one of whom shall be a representative of a state chapter of a nation-wide federation of teachers, (D) one of whom shall be a representative of an association of superintendents of public schools in this state, and (E) one of whom shall be a representative of an association of school principals in this state. Any vacancy shall be filled by the appointing authorities. The Commissioner of Education shall schedule the first meeting of the advisory board, which shall be held no later than September 1, 2007. At such meeting, the advisory board shall select a chairperson of the board who shall be any member of the board, except the commissioner. The board shall have the authority to add members by a unanimous vote of the board.

- (c) The Commissioner of Education shall specify areas of interest that are critical to school improvement, including, but not limited to, learning and teaching for all students, special education and response to intervention, formative assessments, recruitment, support and retention of teachers and administrators, improvement of learning environments in schools, effective school leadership, expanding learning opportunities, CommPACT schools established under section 3 of this act and identification and dissemination of effective practices. The Advisory Board for Collaborative Education, established under subsection (a) of this section, shall notify the State Education Resource Center, established under section 10-4q of the general statutes, as amended by this act, of the need for an issuance of a request for proposals to carry out the provisions of this section.
- (d) The Advisory Board for Collaborative Education established under subsection (a) of this section shall review recommendations by the State Education Resource Center pursuant to subsection (a) of section 10-4q of the general statutes, as amended by this act, concerning requests for proposal responses and recommend proposals to the Commissioner of Education. The commissioner shall review the recommended proposals and, upon selection of a proposal by the commissioner, approve funding for the proposal.

(e) In addition to the selection of proposals under subsection (d) of this section, the Commissioner of Education may enter into memoranda of understanding with public and private institutions of higher education to deliver supplemental assistance and improvement programs to public schools and local and regional school districts identified under subsection (a) of this section.

- (f) Not later than October 1, 2008, and annually thereafter, the Advisory Board for Collaborative Education established under subsection (a) of this section shall, in accordance with the provisions of section 11-4a of the general statutes, report on the educational outcomes of supplemental assistance and improvement programs provided to public schools and school districts pursuant to this section to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to education and higher education.
- Sec. 3. (NEW) (Effective July 1, 2007) (a) For purposes of this section and section 2 of this act, "CommPACT school" means a public, nonsectarian school which is (1) approved by the local or regional board of education of the school district in which it is located and by the State Board of Education pursuant to subsection (b) of this section, (2) organized as a nonprofit entity under state law, (3) a public agency for purposes of the Freedom of Information Act, as defined in section 1-200 of the general statutes, and (4) operated by a governing council of members of the community served by the school, parents and guardians of students who attend the school, and teachers and administrators employed by the school.
 - (b) An application for the establishment of a CommPACT school shall be submitted to the local or regional board of education of the school district in which the CommPACT school is to be located for approval pursuant to this subsection. The local or regional board of education shall: (1) Review the application; (2) hold a public hearing in the school district on such application; (3) survey teachers and parents in the school district to determine if there is sufficient interest in the

establishment and operation of the CommPACT school; and (4) vote on a complete application not later than sixty days after the date of receipt of such application. Such board of education may approve the application by a majority vote of the members of the board present and voting at a regular or special meeting of the board called for such purpose. If the application is approved, the board shall forward the application to the State Board of Education. An application may include a request to waive provisions of the general statutes and regulations, which are within the jurisdiction of the State Board of Education. The State Board of Education shall vote on the application not later than seventy-five days after the date of receipt of such application. Subject to the provisions of subsection (c) of this section, the State Board of Education may approve the application and grant approval for the CommPACT school or reject such application by a majority vote of the members of the state board present and voting at a regular or special meeting of the state board called for such purpose. The State Board of Education may condition the opening of such school on the school's meeting certain conditions determined by the Commissioner of Education to be necessary and may authorize the commissioner to release the application to the public when the commissioner determines such conditions are met. The state board may approve operation of such school for a period of time of up to five years and may allow the applicant to delay its opening for a period of up to one school year in order for the applicant to fully prepare to provide appropriate instructional services.

(c) The local board of education of the school district in which a student enrolled in a CommPACT school resides shall pay, annually, to the fiscal authority for the CommPACT school for each such student the amount specified in its application pursuant to subsection (b) of this section, including the reasonable special education costs of students requiring special education. The board of education shall be eligible for reimbursement for such special education costs pursuant to section 10-76g of the general statutes.

147 Sec. 4. (NEW) (Effective July 1, 2007) (a) The Commissioner of Higher

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

148 Education, in consultation with the Commissioner of Education, the 149 Boards of Trustees for The University of Connecticut, the Community-150 Technical Colleges and the Connecticut State University System, and 151 the Connecticut Conference of Independent Colleges, shall establish a 152 Teach-One competitive grant program available to institutions of 153 higher education, entities affiliated with such institutions and 154 nonprofit organizations to provide funds connecting (1) children in 155 priority school districts pursuant to section 10-266p of the general 156 statutes and transitional school districts pursuant to section 10-263c of 157 the general statutes, to (2) trained volunteer tutors and mentors, 158 including, but not limited to, students attending institutions of higher 159 education in this state.

(b) Applicants for the Teach-One grant established under subsection (a) of this section shall apply to the Commissioner of Higher Education at such time and in such manner as the commissioner prescribes. In determining whether to award an applicant a Teach-One grant, the commissioner shall consider, at a minimum, whether an applicant's plan: (1) Can exhibit a commitment from one or more priority school districts pursuant to section 10-266p of the general statutes, or transitional school district, pursuant to section 10-263c of the general statutes, to collaborate with the applicants to connect tutors and mentors to children in such districts; (2) provides for the long-term sustainability of the proposed tutoring or mentoring program; (3) provides for the training of tutors in methods of teaching and appropriate interaction between students and tutors; (4) includes a commitment by an institution of higher education to provide supplemental funding or other resources instrumental in the long-term sustainability of the proposed program; (5) includes strategies for coordinating with service learning, work study, or other stipend or volunteer-based student programs available through an institution of higher education that will host the tutoring or mentoring programs; (6) includes a mentoring program; (7) includes strategies for engaging volunteers from the business community to participate as tutors and mentors; (8) includes strategies for engaging retired professionals and senior citizens as tutors and mentors; and (9) can provide priority

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

school districts pursuant to said section 10-266p, or transitional school

- districts, pursuant to said section 10-263c, tutoring services that could
- qualify as supplemental services pursuant to the No Child Left Behind
- 186 Act, P.L. 107-110.
- 187 Sec. 5. Section 10-66aa of the general statutes is repealed and the
- following is substituted in lieu thereof (*Effective July 1, 2007*):
- As used in sections 10-66aa to 10-66ff, inclusive, <u>as amended by this</u>
- 190 <u>act</u>, and section 10-66hh, as amended by this act:
- [(1)] "Charter school" means a <u>new</u> public, nonsectarian school
- 192 which is [(A)] (1) established under a charter granted pursuant to
- section 10-66bb, as amended by this act, [(B)] (2) organized as a
- 194 nonprofit entity under state law, [(C)] (3) a public agency for purposes
- of the Freedom of Information Act, as defined in section 1-200, and
- 196 [(D)] (4) operated independently of any local or regional board of
- 197 education in accordance with the terms of its charter and the
- 198 provisions of sections 10-66aa to 10-66ff, inclusive, as amended by this
- 199 act, provided no member or employee of a governing council of a
- 200 charter school shall have a personal or financial interest in the assets,
- 201 real or personal, of the school. [;]
- [(2) "Local charter school" means a public school or part of a public
- school that is converted into a charter school and is approved by the
- local or regional board of education of the school district in which it is
- located and by the State Board of Education pursuant to subsection (e)
- of section 10-66bb; and
- 207 (3) "State charter school" means a new public school approved by
- 208 the State Board of Education pursuant to subsection (f) of section 10-
- 209 66bb.]
- Sec. 6. Section 10-66bb of the general statutes is repealed and the
- following is substituted in lieu thereof (*Effective July 1, 2007*):
- 212 (a) On and after July 1, 1997, the State Board of Education may
- 213 grant, within available appropriations, charters for [local and state]

214 charter schools in accordance with this section.

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

(b) Any person, association, corporation, organization or other entity, public or independent institution of higher education, local or regional board of education or two or more boards of education cooperatively, or regional educational service center may apply to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, to establish a charter school, provided no nonpublic elementary or secondary school may be established as a charter school and no parent or group of parents providing home instruction may establish a charter school for such instruction.

(c) The State Board of Education shall review, annually, all applications and grant charters in accordance with subsection [(f)] (e) of this section. (1) Except as provided for in subdivision (2) of this subsection, no [state] charter school shall enroll (A) (i) more than two hundred fifty students, or (ii) in the case of a kindergarten to grade eight, inclusive, school, more than three hundred students, or (B) twenty-five per cent of the enrollment of the school district in which the [state] charter school is to be located, whichever is less. (2) In the case of a [state] charter school found by the State Board of Education to have a demonstrated record of achievement, such school may, upon application to and approval by said board, enroll up to eighty-five students per grade, if within available appropriations. The State Board of Education shall give preference to applicants for charter schools (A) that will serve students who reside in a priority school district pursuant to section 10-266p or in a district in which seventy-five per cent or more of the enrolled students are members of racial or ethnic minorities, [and to applicants for state charter schools that] (B) will be located at a work-site, or [that] (C) are institutions of higher education. In determining whether to grant a charter, the State Board of Education shall consider the effect of the proposed charter school on the reduction of racial, ethnic and economic isolation in the region in which it is to be located, the regional distribution of charter schools in the state and the potential of over-concentration of charter schools within a school district or in contiguous school districts.

(d) Applications pursuant to this section shall include a description of: (1) The mission, purpose and any specialized focus of the proposed charter school; (2) the interest in the community for the establishment of the charter school; (3) the school governance and procedures for the establishment of a governing council that (A) includes teachers and parents and guardians of students enrolled in the school, and (B) is responsible for the oversight of charter school operations, provided no member or employee of the governing council may have a personal or financial interest in the assets, real or personal, of the school; (4) the financial plan for operation of the school, provided no application fees or other fees for attendance, except as provided in section 10-66ee, as amended by this act, may be charged; (5) the educational program, instructional methodology and services to be offered to students; (6) the number and qualifications of teachers and administrators to be employed in the school; (7) the organization of the school in terms of the ages or grades to be taught and the total estimated enrollment of the school; (8) the student admission criteria and procedures to (A) ensure effective public information, (B) ensure open access on a space available basis, (C) promote a diverse student body, and (D) ensure that the school complies with the provisions of section 10-15c and that it does not discriminate on the basis of disability, athletic performance or proficiency in the English language, provided the school may limit enrollment to a particular grade level or specialized educational focus and, if there is not space available for all students seeking enrollment, the school may give preference to siblings but shall otherwise determine enrollment by a lottery; (9) a means to assess student performance that includes participation in state-wide mastery examinations pursuant to chapter 163c; (10) procedures for teacher evaluation and professional development for teachers and administrators; the provision of school facilities, (11)pupil transportation and student health and welfare services; (12) procedures to encourage involvement by parents and guardians of enrolled students in student learning, school activities and school decision-making; (13) document efforts to increase the racial and ethnic diversity of staff; and (14) a five-year plan to sustain the

248249

250

251

252

253

254

255

256

257

258

259

260

261262

263

264

265

266

267

268

269

270

271

272

273

274

275

276

277

278

279

280

281

maintenance and operation of the school. Subject to the provisions of subsection (b) of section 10-66dd, as amended by this act, an application may include, or a charter school may file, requests to waive provisions of the general statutes and regulations not required by sections 10-66aa to 10-66ff, inclusive, as amended by this act, and which are within the jurisdiction of the State Board of Education.

[(e) An application for the establishment of a local charter school shall be submitted to the local or regional board of education of the school district in which the local charter school is to be located for approval pursuant to this subsection. The local or regional board of education shall: (1) Review the application; (2) hold a public hearing in the school district on such application; (3) survey teachers and parents in the school district to determine if there is sufficient interest in the establishment and operation of the local charter school; and (4) vote on a complete application not later than sixty days after the date of receipt of such application. Such board of education may approve the application by a majority vote of the members of the board present and voting at a regular or special meeting of the board called for such purpose. If the application is approved, the board shall forward the application to the State Board of Education. The State Board of Education shall vote on the application not later than seventy-five days after the date of receipt of such application. Subject to the provisions of subsection (c) of this section, the State Board of Education may approve the application and grant the charter for the local charter school or reject such application by a majority vote of the members of the state board present and voting at a regular or special meeting of the state board called for such purpose. The State Board of Education may condition the opening of such school on the school's meeting certain conditions determined by the Commissioner of Education to be necessary and may authorize the commissioner to release the charter when the commissioner determines such conditions are met. The state board may grant the charter for the local charter school for a period of time of up to five years and may allow the applicant to delay its opening for a period of up to one school year in order for the applicant to fully prepare to provide appropriate instructional services.

283

284

285

286

287

288

289

290

291

292

293

294

295

296

297

298

299

300

301

302

303

304

305

306

307

308

309

310311

312

313

314

315

316

[(f)] (e) An application for the establishment of a [state] charter school shall be (1) submitted to the State Board of Education for approval in accordance with the provisions of this subsection, and (2) filed with the local or regional board of education in the school district in which the charter school is to be located. The state board shall: (A) Review such application; (B) hold a public hearing on such application in the school district in which such [state] charter school is to be located; (C) solicit and review comments on the application from the local or regional board of education for the school district in which such charter school is to be located and from the local or regional boards of education for school districts that are contiguous to the district in which such school is to be located; and (D) vote on a complete application not later than seventy-five days after the date of receipt of such application. The State Board of Education may approve an application and grant the charter for the [state] charter school by a majority vote of the members of the state board present and voting at a regular or special meeting of the state board called for such purpose. The State Board of Education may condition the opening of such school on the school's meeting certain conditions determined by the Commissioner of Education to be necessary and may authorize the commissioner to release the charter when the commissioner determines such conditions are met. Charters shall be granted for a period of time of up to five years and may allow the applicant to delay its opening for a period of up to one school year in order for the applicant to fully prepare to provide appropriate instructional services.

[(g)] (f) Charters may be renewed, upon application, in accordance with the provisions of this section for the granting of such charters. Upon application for such renewal, the State Board of Education may commission an independent appraisal of the performance of the charter school that includes, but is not limited to, an evaluation of the school's compliance with the provisions of this section. The State Board of Education shall consider the results of any such appraisal in determining whether to renew such charter. The State Board of Education may deny an application for the renewal of a charter if (1) student progress has not been sufficiently demonstrated, as

318

319

320

321

322

323

324

325

326

327

328

329

330

331

332

333

334

335

336

337

338

339

340

341

342

343

344

345

346

347

348

349

350

351

determined by the commissioner, (2) the governing council has not been sufficiently responsible for the operation of the school or has misused or spent public funds in a manner that is detrimental to the educational interests of the students attending the charter school, or (3) the school has not been in compliance with applicable laws and regulations. If the State Board of Education does not renew a charter, it shall notify the governing council of the charter school of the reasons for such nonrenewal.

[(h)] (g) The Commissioner of Education may at any time place a charter school on probation if (1) the school has failed to (A) adequately demonstrate student progress, as determined by the commissioner, (B) comply with the terms of its charter or with applicable laws and regulations, (C) achieve measurable progress in reducing racial, ethnic and economic isolation, or (D) maintain its nonsectarian status, or (2) the governing council has demonstrated an inability to provide effective leadership to oversee the operation of the charter school or has not ensured that public funds are expended prudently or in a manner required by law. If a charter school is placed on probation, the commissioner shall provide written notice to the charter school of the reasons for such placement, not later than five days after the placement, and shall require the charter school to file with the Department of Education a corrective action plan acceptable to the commissioner not later than thirty-five days from the date of such placement. The charter school shall implement a corrective action plan accepted by the commissioner not later than thirty days after the date of such acceptance. The commissioner may impose any additional terms of probation on the school that the commissioner deems necessary to protect the educational or financial interests of the state. The charter school shall comply with any such additional terms not later than thirty days after the date of their imposition. The commissioner shall determine the length of time of the probationary period, which may be up to one year, provided the commissioner may extend such period, for up to one additional year, if the commissioner deems it necessary. In the event that the charter school does not file or implement the corrective action plan within the required time period

353 354

355

356

357

358

359

360

361

362

363

364

365

366 367

368

369

370

371

372

373

374

375

376

377

378

379

380

381

382

383

384

385

386

or does not comply with any additional terms within the required time period, the Commissioner of Education may withhold grant funds from the school until the plan is fully implemented or the school complies with the terms of probation, provided the commissioner may extend the time period for such implementation and compliance for good cause shown. Whenever a charter school is placed on probation, the commissioner shall notify the parents or guardians of students attending the school of the probationary status of the school and the reasons for such status. During the term of probation, the commissioner may require the school to file interim reports concerning any matter the commissioner deems relevant to the probationary status of the school, including financial reports or statements. No charter school on probation may increase its student enrollment or engage in the recruitment of new students without the consent of the commissioner.

[(i)] (h) The State Board of Education may revoke a charter if a charter school has failed to: (1) Comply with the terms of probation, including the failure to file or implement a corrective action plan; (2) demonstrate satisfactory student progress, as determined by the commissioner; (3) comply with the terms of its charter or applicable laws and regulations; or (4) manage its public funds in a prudent or legal manner. Unless an emergency exists, prior to revoking a charter, the State Board of Education shall provide the governing council of the charter school with a written notice of the reasons for the revocation, including the identification of specific incidents of noncompliance with the law, regulation or charter or other matters warranting revocation of the charter. It shall also provide the governing council with the opportunity to demonstrate compliance with all requirements for the retention of its charter by providing the State Board of Education or a subcommittee of the board, as determined by the State Board of Education, with a written or oral presentation. Such presentation shall include an opportunity for the governing council to present documentary and testimonial evidence to refute the facts cited by the State Board of Education for the proposed revocation or in justification of its activities. Such opportunity shall not constitute a contested case

within the meaning of chapter 54. The State Board of Education shall determine, not later than thirty days after the date of an oral presentation or receipt of a written presentation, whether and when the charter shall be revoked and notify the governing council of the decision and the reasons therefor. A decision to revoke a charter shall not constitute a final decision for purposes of chapter 54. In the event an emergency exists in which the commissioner finds that there is imminent harm to the students attending a charter school, the State Board of Education may immediately revoke the charter of the school, provided the notice concerning the reasons for the revocation is sent to the governing council not later than ten days after the date of revocation and the governing council is provided an opportunity to make a presentation to the board not later than twenty days from the date of such notice.

- Sec. 7. Subsection (b) of section 10-66cc of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2007):
- (b) The governing council of each charter school shall submit annually, to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, [and, in the case of a local charter school, to the local or regional board of education for the school district in which the school is located,] a report on the condition of the school, including (1) the educational progress of students in the school, (2) the financial condition of the school, including a certified audit statement of all revenues and expenditures, (3) accomplishment of the mission, purpose and any specialized focus of the charter school, (4) the racial and ethnic composition of the student body and efforts taken to increase the racial and ethnic diversity of the student body, and (5) best practices employed by the school that contribute significantly to the academic success of students.
 - Sec. 8. Subdivision (4) of subsection (b) of section 10-66dd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

(4) The [state] charter school governing council shall act as a board of education for purposes of collective bargaining. [The school professionals employed by a local charter school shall be members of the appropriate bargaining unit for the local or regional school district in which the local charter school is located and shall be subject to the same collective bargaining agreement as the school professionals employed by said district. A majority of those employed or to be employed in the local charter school and a majority of the members of the governing council of the local charter school may modify, in writing, such collective bargaining agreement, consistent with the terms and conditions of the approved charter, for purposes of employment in the charter school.]

- Sec. 9. Section 10-66ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):
 - (a) For the purposes of education equalization aid under section 10-262h a student enrolled [(1) in a local charter school shall be considered a student enrolled in the school district in which such student resides, and (2)] in a [state] charter school shall not be considered a student enrolled in the school district in which such student resides.
 - [(b) The local board of education of the school district in which a student enrolled in a local charter school resides shall pay, annually, in accordance with its charter, to the fiscal authority for the charter school for each such student the amount specified in its charter, including the reasonable special education costs of students requiring special education. The board of education shall be eligible for reimbursement for such special education costs pursuant to section 10-76g.]
 - [(c)] (b) (1) The state shall pay in accordance with this subsection, to the fiscal authority for a [state] charter school, for the fiscal year ending June 30, 2006, seven thousand six hundred twenty-five dollars for each student enrolled in such school, and for the fiscal year ending June 30, 2007, and for each fiscal year thereafter, eight thousand dollars for each student enrolled in such school. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July

fifteenth and September fifteenth based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January fifteenth and the remaining amount not later than April fifteenth, each based on student enrollment on October first. If, for any fiscal year, the total amount appropriated for grants pursuant to this subdivision exceeds eight thousand dollars per student, the amount of such grants payable per student shall be increased proportionately, except that such per student increase shall not exceed seventy dollars. Any amount of such appropriation remaining after such per student increase shall be used by the Department of Education for supplemental grants to interdistrict magnet schools pursuant to subdivision (2) of subsection (c) of section 10-264l. For the fiscal year ending June 30, 2005, such increase shall be limited to one hundred ten dollars per student. (2) In the case of a student identified as requiring special education, the school district in which the student resides shall: (A) Hold the planning and placement team meeting for such student and shall invite representatives from the charter school to participate in such meeting; and (B) pay the [state] charter school, on a quarterly basis, an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the [state] charter school for such student pursuant to subdivision (1) of this subsection and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g. The charter school a student requiring special education attends shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the charter school or by the school district in which the student resides.

[(d)] (c) On or before October fifteenth of the fiscal years beginning July 1, 2001, and July 1, 2002, the Commissioner of Education shall determine if the enrollment in the program for the fiscal year is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse but shall be used by the

489

490

491

492

493

494

495

496

497

498

499

500

501

502

503

504

505

506

507

508

509

510

511

512

513

514

515

516

517

518

519

520

521

522

commissioner for (1) grants for interdistrict cooperative programs pursuant to section 10-74d, (2) grants for open choice programs pursuant to section 10-266aa, or (3) grants for interdistrict magnet schools pursuant to section 10-264l.

[(e)] (d) Notwithstanding any provision of the general statutes to the contrary, if at the end of a fiscal year amounts received by a [state] charter school, pursuant to subdivision (1) of subsection [(c)] (b) of this section, are unexpended, the charter school (1) may use, for the expenses of the charter school for the following fiscal year, up to ten per cent of such amounts, and (2) may (A) create a reserve fund to finance a specific capital or equipment purchase or another specified project as may be approved by the commissioner, and (B) deposit into such fund up to five per cent of such amounts.

[(f)] (e) The local or regional board of education of the school district in which the charter school is located shall provide transportation services for students of the charter school who reside in such school district pursuant to section 10-273a unless the charter school makes other arrangements for such transportation. Any local or regional board of education may provide transportation services to a student attending a charter school outside of the district in which the student resides and, if it elects to provide such transportation, shall be reimbursed pursuant to section 10-266m for the reasonable costs of such transportation. Any local or regional board of education providing transportation services under this subsection may suspend such services in accordance with the provisions of section 10-233c. The parent or guardian of any student denied the transportation services required to be provided pursuant to this subsection may appeal such denial in the manner provided in sections 10-186 and 10-187.

- [(g)] (f) Charter schools shall be eligible to the same extent as boards of education for any grant for special education, competitive state grants and grants pursuant to sections 10-17g and 10-266w.
- [(h)] (g) If the commissioner finds that any charter school uses a grant under this section for a purpose that is inconsistent with the

557 provisions of this part, the commissioner may require repayment of 558 such grant to the state.

- [(i)] (h) Charter schools shall receive, in accordance with federal law and regulations, any federal funds available for the education of any pupils attending public schools.
- [(j)] (i) The governing council of a charter school may (1) contract or enter into other agreements for purposes of administrative or other support services, transportation, plant services or leasing facilities or equipment, and (2) receive and expend private funds or public funds, including funds from local or regional boards of education, [and funds received by local charter schools for out-of-district students,] for school purposes.
- Sec. 10. Section 10-66hh of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):
- 571 For the fiscal years ending June 30, 2006, and June 30, 2007, the 572 Commissioner of Education shall establish, within available bond 573 authorizations, a grant program to assist [state] charter schools in 574 financing (1) school building projects, as defined in section 10-282, (2) 575 general improvements to school buildings, as defined in subsection (a) 576 of section 10-265h, and (3) repayment of debt incurred prior to July 1, 577 2005, for school building projects. The governing authorities of such 578 [state] charter schools may apply for such grants to the Department of 579 Education at such time and in such manner as the commissioner 580 prescribes. The commissioner shall give preference to applications that 581 provide for matching funds from nonstate sources.
- Sec. 11. Subsection (b) of section 10-145j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 584 1, 2007):
 - (b) Such persons may only be employed in a position at the elementary or secondary level where no certified teacher suitable to the position is available. Such persons shall (1) be enrolled in a

585

586

planned program leading to certification in the subject area they are teaching, or enrolled in an approved alternate route to certification program or a program with state approval pending and that meets the standards for an alternate route to certification program, and (2) have completed at least twelve semester hours of credit or have passed the assessment approved by the State Board of Education in the subject area they will teach. The State Board of Education may grant a durational shortage area permit, endorsed consistent with this section, to a person who meets the qualifications for such permit as modified by this section. In granting such permits, the board shall give priority to addressing the needs of the schools operated by the boards of education for the towns of Bridgeport, Hartford and New Haven, and then to the needs of [state] charter schools located in such towns. Such permit shall be valid for one year and shall be renewable once.

- Sec. 12. Subsection (a) of section 10-215b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2007):
- (a) The State Board of Education is authorized to expend in each fiscal year an amount equal to (1) the money required pursuant to the matching requirements of said federal laws and shall disburse the same in accordance with said laws, and (2) ten cents per lunch served in the prior school year in accordance with said laws by any local or regional board of education, the regional vocational-technical school system or governing authority of a [state] charter school, interdistrict magnet school or endowed academy approved pursuant to section 10-34 that participates in the National School Lunch Program and certifies pursuant to section 10-215f that the nutrition standards established by the Department of Education pursuant to section 10-215e shall be met.
- Sec. 13. Subsection (a) of section 10-215f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2007):
- 619 (a) Each local and regional board of education, the regional vocational-technical school system, and the governing authority for

621 each [state] charter school, interdistrict magnet school and endowed 622 academy approved pursuant to section 10-34 that participates in the 623 National School Lunch Program shall certify in its annual application 624 to the Department of Education for school lunch funding whether, 625 during the school year for which such application is submitted, all 626 food items made available for sale to students in schools under its 627 jurisdiction and not exempted from the nutrition standards published 628 by the Department of Education pursuant to section 10-215e will meet 629 said standards. Except as otherwise provided in subsection (b) of this 630 section, such certification shall include food not exempted from said 631 nutrition standards and offered for sale to students at all times, and 632 from all sources, including, but not limited to, school stores, vending 633 machines, school cafeterias, and any fundraising activities on school 634 premises, whether or not school sponsored.

- Sec. 14. Section 10-221p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):
 - Each local and regional board of education and governing authority for each [state] charter school, interdistrict magnet school and endowed academy approved pursuant to section 10-34, shall make available in the schools under its jurisdiction for purchase by students enrolled in such schools nutritious and low-fat foods, which shall include, but shall not be limited to, low-fat dairy products and fresh or dried fruit at all times when food is available for purchase by students in such schools during the regular school day.
- Sec. 15. Subsection (a) of section 10-221q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2007):
 - (a) Except as otherwise provided in subsection (b) of this section, each local and regional board of education and the governing authority for each [state] charter school, interdistrict magnet school and endowed academy approved pursuant to section 10-34, shall permit at schools under its jurisdiction the sale of only the following beverages to students from any source, including, but not limited to,

637

638

639

640

641

642

643

644

648

649

650

651

652

school stores, vending machines, school cafeterias, and any fundraising activities on school premises, whether or not school sponsored: (1) Milk that may be flavored but contain no artificial sweeteners and no more than four grams of sugar per ounce, (2) nondairy milks such as soy or rice milk, which may be flavored but contain no artificial sweeteners, no more than four grams of sugar per ounce, no more than thirty-five per cent of calories from fat per portion and no more than ten per cent of calories from saturated fat per portion, (3) one hundred per cent fruit juice, vegetable juice or combination of such juices, containing no added sugars, sweeteners or artificial sweeteners, (4) beverages that contain only water and fruit or vegetable juice and have no added sugars, sweeteners or artificial sweeteners, and (5) water, which may be flavored but contain no added sugars, sweeteners, artificial sweeteners or caffeine. Portion sizes of beverages, other than water as described in subdivision (5) of this subsection, that are offered for sale pursuant to this subsection shall not exceed twelve ounces.

Sec. 16. Subsection (d) of section 10-262n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2007):

(d) (1) Each school district shall be eligible to receive a minimum grant under the program as follows: (A) Each school district in towns ranked from one to one hundred thirteen, inclusive, when all towns are ranked in ascending order from one to one hundred sixty-nine based on town wealth, as defined in subdivision (26) of section 10-262f, shall be eligible to receive a minimum grant in the amount of thirty thousand dollars, and (B) each school district in towns ranked from one hundred fourteen to one hundred sixty-nine, inclusive, when all towns are ranked in ascending order from one to one hundred sixty-nine based on town wealth, as defined in subdivision (26) of section 10-262f, shall be eligible to receive a minimum grant under the program in the amount of fifteen thousand dollars. Such minimum grant may be increased for certain school districts pursuant to subdivision (4) of this subsection. (2) The department shall use (A) one hundred thousand dollars of the amount appropriated for purposes of

this section for the vocational-technical schools for wiring and other technology initiatives at such schools, and (B) fifty thousand dollars of the amount appropriated for purposes of this section for technology grants to [state] charter schools. The amount of the grant each [state] charter school receives shall be based on the number of students enrolled in the school. (3) The department may retain up to one per cent of the amount appropriated for purposes of this section for coordination, program evaluation and administration. (4) Any remaining appropriated funds shall be used to increase the grants to (A) priority school districts pursuant to section 10-266p, (B) transitional school districts pursuant to section 10-263c, and (C) school districts in towns ranked from one to eighty-five, inclusive, when all towns are ranked in ascending order from one to one hundred sixty-nine based on town wealth, as defined in section 10-262f. Each such school district shall receive an amount based on the ratio of the number of resident students, as defined in said section 10-262f, in such school district to the total number of resident students in all such school districts.

Sec. 17. Section 10-285h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007*):

- (a) For the fiscal year ending June 30, 2006, there shall be established a pilot program for the development of a school building facility to be used for a [state] charter school. The Commissioner of Education may receive applications for the purchase and renovation of a building to be used as a [state] charter school facility. The amount of the grant shall be equal to the net eligible expenditures multiplied by the school construction reimbursement rate for the town in which the facility will be located. Enrollment projections identified in the application may exceed current charter school enrollment limitations, if approved by the commissioner. The provisions of this chapter concerning school construction projects and regulations adopted by the State Board of Education, in accordance with this chapter, shall apply to the project, except as provided by this section.
- (b) Eligible applicants shall be successful [state] charter school

688

689

690

691

692

693

694

695

696

697

698

699

700

701

702

703

704

705

706

707

708

709

710

711

712713

714

715

716

717

718

719

governing boards that have operated a charter school for at least five years and have had the charter of the school renewed by the State Board of Education. The application shall include information concerning the charter school that describes: (1) Academic success, including test results on mastery examinations pursuant to section 10-14n, (2) attendance records of students, (3) student success in completing the program of studies offered by the school, (4) parental involvement in the operation and decisions of the governing board, and (5) other such information as is required by the Commissioner of Education. The application shall be submitted in such form, manner and time as determined by the commissioner.

(c) The Commissioner of Education may select one application for state grant assistance. The commissioner shall notify the school construction committee pursuant to section 10-283a of the commissioner's selection and the proposed funding for such [state] charter school project. The school construction committee shall consider the application in conjunction with the committee's review of the listing of eligible projects developed in accordance with section 10-283. If the school construction committee approves the request for funding, the committee shall include such grant request as a separately-listed item on a special supplementary schedule for such pilot charter school project on the listing of eligible projects developed in accordance with section 10-283.

(d) If a [state] charter school that received a grant pursuant to this section ceases to be used as a [state] charter school facility, the Commissioner of Education shall determine whether title to the building and any legal interest in appurtenant land shall revert to the state.

This act shall take effect as follows and shall amend the following sections:					
Section 1	July 1, 2007	10-4q(a)			
Sec. 2	July 1, 2007	New section			
Sec. 3	July 1, 2007	New section			

Sec. 4	July 1, 2007	New section	
Sec. 5	July 1, 2007	10-66aa	
Sec. 6	July 1, 2007	10-66bb	
Sec. 7	July 1, 2007	10-66cc(b)	
Sec. 8	July 1, 2007	10-66dd(b)(4)	
Sec. 9	July 1, 2007	10-66ee	
Sec. 10	July 1, 2007	10-66hh	
Sec. 11	July 1, 2007	10-145j(b)	
Sec. 12	July 1, 2007	10-215b(a)	
Sec. 13	July 1, 2007	10-215f(a)	
Sec. 14	July 1, 2007	10-221p	
Sec. 15	July 1, 2007	10-221q(a)	
Sec. 16	July 1, 2007	10-262n(d)	
Sec. 17	July 1, 2007	10-285h	

ED Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Education, Dept.	GF - Cost	\$1.5 million	\$1.5 million
Higher Ed., Dept.	GF - Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
Various Municipalities	Revenue	Potential	Potential
	Gain		

Explanation

Funds totaling \$1.5 million in each year of the biennium have been included in the budget as passed by the Appropriations Committee for the purposes of the Advisory Board for Collaborative Education. Such funds would be utilized for administrative and programmatic needs. Programmatic funds could be utilized by higher education entities and local and regional school districts needing supplemental assistance and improvement programs.

There is no funding contained in the biennial budget as passed by the Appropriations Committee for the purposes of a Teach-One grant which would be administered by the State Department of Higher Education. It is anticipated that funds necessary to operate such a program would amount to less than \$100,000 per year.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis sSB 1405

AN ACT CONCERNING THE ADVISORY BOARD FOR COLLABORATIVE EDUCATION, AN INTERVENTION MODEL FOR SCHOOLS IN NEED OF IMPROVEMENT AND THE TEACH-ONE COMPETITIVE GRANT.

SUMMARY:

The bill establishes a nine-member Advisory Board for Collaborative Education to provide the State Department of Education (SDE) with the research and technical expertise necessary to provide supplemental assistance and improvement programs to schools and districts.

The bill allows local school boards to approve a "CommPACT school" and sets out the requirements for its establishment, both of which are basically identical to the current definition and requirements for establishing a local charter school, which the bill eliminates. The bill makes a number of technical and conforming changes to remove references to "state" and "local" charter schools, since, under the bill only one type of charter school (the current state charter) remains.

Finally, the bill establishes a Teach-One competitive grant program to be administered by the higher education commissioner. The program provides funding to universities and their affiliates and nonprofit organizations to connect priority and transitional school district students with mentors and tutors.

EFFECTIVE DATE: July 1, 2007

ADVISORY BOARD FOR COLLABORATIVE EDUCATION Board Duties

The bill establishes an Advisory Board for Collaborative Education

as a cooperative venture between SDE and higher education institutions to provide supplemental assistance and improvement programs to schools and districts that the education commissioner thinks would benefit from them, including schools identified as "in need of improvement" pursuant to Connecticut statute and the federal No Child Left Behind Act (NCLB). The advisory board must provide SDE with the research and technical expertise necessary to provide the assistance and programs. It appears that SDE and the higher education institutions will provide such assistance and programs.

The bill expands the duties of the State Education Resource Center (SERC) to include the provision of administrative support for the advisory board, including the issuance of requests for proposals (RFPs), the evaluation of the proposals, and the development of recommendations related to the proposals for the board's consideration. The commissioner must specify areas of interest that are critical to school improvement including, but not limited to (1) learning and teaching for all students, (2) special education and response to intervention, (3) formative assessments, (3) recruitment, support and retention of teachers and administrators, (4) improvement of learning environments in schools, (5) effective school leadership, (6) expanding learning opportunities, (7) CommPACT schools, and (8) identification and dissemination of effective practices.

The bill requires the advisory board to notify SERC of the need to issue RFPs to carry out the provisions of the bill, presumably for the provision of supplemental assistance and programs. However, the bill does not directly link the RFPs to the areas the commissioner must identify.

The advisory board must review SERC's recommendations and recommend proposals to the commissioner, who will select a proposal and approve funding. The bill does not identify a funding source. The commissioner can also enter into memoranda of understanding (MOUs) with higher education institutions to deliver the supplemental assistance and improvement programs. The bill requires the board to

report to the governor and the Education and Higher Education committees by October 1, 2008 on education outcomes of the programs and assistance provided.

Board Membership

The board must consist of four non-voting ex-officio members and five voting members appointed jointly by the governor, House speaker, Senate president protempore, and House and Senate majority and minority leaders. The ex-officio members include the education commissioner, the presidents of UConn and a conference representing independent colleges in the state, and the chancellor of the CSU system, or their designees. The appointees must include one each representing an association of boards of education, an advocacy group for teachers and public education, a nation-wide federation of teachers, an association of superintendents, and an association of school principals.

Appointments must be made by August 1, 2007 and the appointing authorities must fill any vacancies. The education commissioner must schedule the first board meeting, to be held by September 1, 2007. At this meeting, the board must select its chairperson, who cannot be the education commissioner. It can add members by unanimous vote.

COMMPACT SCHOOLS

The bill replaces local charter schools with CommPACT schools. Like the local charter school which the bill eliminates, a CommPACT school is a public school that is: approved by the board for the school district in which it is located and by the State Board of Education (SBE); organized as a nonprofit; a public agency for Freedom of Information Act purposes; and operated by a governing council of community members, parents of school students, and teachers and administrators employed by the school.

Like the local charter, an application for a CommPACT school must be submitted to the school board, which must review it, hold a public hearing on it, survey teachers and parents for sufficient interest, and

vote on it within 60 days of receiving it. A majority of those present and voting constitutes approval. The board then forwards the application to SBE, which must grant or reject it within 75 days of receiving it. SBE may approve a school's operation for a period of up to five years. SBE may condition the opening on the school meeting certain conditions. The board of a CommPACT school student's home district must pay the school's fiscal authority for that student the amount specified in the application for the student. As part of its application, a CommPACT school may request that SBE waive state education laws under the board's jurisdiction.

TEACH-ONE GRANT

The bill requires the higher education commissioner to establish a Teach-One competitive grant program for higher education institutions, their affiliated agencies, and nonprofits to provide funds to connect children in priority and transitional school districts to trained volunteers and mentors, including students at the institutions. She must do this in consultation with the education commissioner, the boards of trustees for UConn, the community-technical colleges and the Connecticut State University system, and the Connecticut Conference of Independent Colleges.

Applicants must apply to the higher education commissioner at the time and in the manner she prescribes. However, it appears that the applicants must submit a plan. In awarding the grant, the higher education commissioner must consider, at least, whether the plan:

- 1. can show a commitment from one or more priority or transitional school districts to collaborate with the applicants to connect tutors and mentors with children;
- 2. provides for the long-term sustainability of the proposed program;
- 3. provides for the training of tutors in methods of teaching, and appropriate interaction between students and tutors;

 includes a commitment by a higher education institution to provide supplemental funding or other resources necessary for long-term sustainability;

- 5. includes strategies for coordinating with stipend or volunteerbased student programs available through the higher education institution that will host the tutoring or mentoring programs;
- 6. includes a mentoring program;
- 7. includes strategies for engaging volunteers from the business community and retired professionals and senior citizens to participate as tutors and mentors; and
- 8. can provide priority or transitional school districts tutoring services that could qualify as supplemental services pursuant to NCLB.

BACKGROUND

Priority and Transitional School Districts

Three types of towns qualify as priority school districts: (1) the eight towns with the largest populations, based on the last census; (2) in the first year of each biennium, the 11 towns with the highest numbers of children on welfare plus the largest numbers of children scoring below the remedial level on the Connecticut Mastery Test (CMT); and (3) in the first year of each biennium, the 11 towns that rank highest in the number of children on welfare divided by the "grant mastery percentage." The grant mastery percentage is the number of students in the district scoring below standard on CMT divided by the number taking the test.

A transitional school district is a district that is not a priority district and that ranks from one to 21 among all districts on either the (1) number of children on welfare plus number of children scoring below the remedial level on mastery tests or (2) number of children on welfare divided by grant mastery percentage.

Related Bills

sSB 1405, reported favorably by the Education Committee, requires schools and districts that are designated as "in need of improvement" under Connecticut law and require corrective action under NCLB to be placed on a list of underperforming schools and districts and subjected to intensified supervision and direction by SBE.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute Yea 31 Nay 0 (03/29/2007)